

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 13-cr-30228-DRH

MARK R. KELLEY,

Defendant.

ORDER

HERNDON, District Judge:

Now before the Court is defendant Mark Kelley's motion to continue final revocation hearing of October 18, 2018 (Doc. 63). Defendant states that he needs additional time to prepare. The government does not object to a continuance. Being fully advised in the premises and for the reasons stated in the motion, the Court finds counsel and defendant require additional time. The Court also finds that to deny a continuance of the matter would result in a miscarriage of justice. Further, the Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, the Court **GRANTS** defendant's October 16, 2018, motion to continue final revocation hearing of October 18, 2018 (Doc. 63). The Court **CONTINUES** the final revocation hearing scheduled for October 18, 2018, to **Monday, November 8, 2018, at 2:30 p.m.** The time from the date the original

motion was filed, October 16, 2018, until the date to which the trial is rescheduled, November 8, 2018, is excludable time for the purposes of speedy trial. Finally, should any party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

 Judge Herndon
2018.10.17
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United States District Judge